

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ENPAC, LLC,

Plaintiff,

v.

CHASSIDY F. LUCAS, et al.,

Defendants.

CASE NO. C11-0037BHS

ORDER DENYING
DEFENDANTS' MOTION
FOR RECONSIDERATION

This matter comes before the Court on Defendants CB Stormwater, LLC, and Chassidy F. Lucas' ("Defendants") motion for reconsideration (Dkt. 55). The Court has reviewed the brief filed in support of the motion and the remainder of the file and hereby denies the motion for the reasons stated herein.

I. PROCEDURAL HISTORY

On January 7, 2011, Plaintiff Enpac, LLC's ("Enpac") filed a complaint against Defendants for declaratory judgment of patent invalidity and non-infringement and for violations of the Lanham Act, 15 U.S.C. § 1051, *et seq.* Dkt. 1. On June 30, 2011, Defendants filed a document entitled "Counterclaim." Dkt. 46.

On July 14, 2011, Enpac filed a motion to dismiss Defendants' counterclaim. Dkt. 48. Defendants did not respond. On September 1, 2011, the Court granted Enpac's motion. Dkt. 53. On September 6, 2011, Defendants filed a motion for reconsideration. Dkt. 55.

II. DISCUSSION

Motions for reconsideration are governed by Local Rule CR 7(h), which provides as follows:

Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.


Local Rule CR 7(h)(1). With regard to motions in general, the argument in support of the motion shall not be made in a separate document but shall be submitted as part of the motion itself. Local Rule CR 7(b)(1).

In this case, Defendants have failed to include any argument in support of their motion. Therefore, the Court denies Defendants' motion because Defendants have not only failed to properly support their motion but also failed to meet their burden on reconsideration.

III. ORDER

Therefore, it is hereby **ORDERED** that Defendants' motion for reconsideration (Dkt. 55) is **DENIED**.

DATED this 8th day of September, 2011.


BENJAMIN H. SETTLE
United States District Judge